

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v- : S10 10 cr. 228 (S-2) (LTS)

DANIEL BONVENTRE, et al. :

NOTICE OF MOTION

:

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in Support, the undersigned will move this Court, before the Honorable Laura Taylor Swain, at the United States District Court, Southern District of New York, for an Order:

- (1) Precluding the government from introducing evidence of Ms. Bongiorno's expenditures;
- (2) Precluding the government from offering proof of Ms. Bongiorno's use of a corporate credit card account at Bernard L. Madoff Investment Securities, Inc.;
- (3) Striking the word "Fabricated" from government exhibits 2000-1 through 2000-5;
- (4) Precluding the government from using GX 1000-34 at trial;
- (5) Precluding the government's witnesses from expressing inappropriate lay opinions;
- (6) Finding Ms. Bongiorno's statement "Do you realize how much unrealized gains I have in my portfolio" admissible;
- (7) Directing the government to produce proffer agreements and memoranda or

notes of any attorney proffers in connection with its witnesses;

(8) For other incidental relief, and for such further relief as the Court may deem
just and proper.

Dated: New York, New York
August 30, 2013

/S/
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Clerk of the Court